

## **United States District Court**

## District of New Mexico

# UNITED STATES OF AMERICA

V.

## **ORDER OF DETENTION PENDING TRIAL**

**GIDEON ROBLES a/k/a Mike Jones**

## Defendant

Case Number: 05-M-729

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a detention hearing has been held. I conclude that the following facts require the detention of the defendant pending trial in this case.

## Part I - Finding of Facts



### **Alternative Findings (A)**



### **Alternative Findings (B)**

- ( ) (1) There is a serious risk that the defendant will not appear.  
(X) (2) There is a serious risk that the defendant will endanger the safety of another person or community.

## **Part II - Written Statement of Reasons for Detention**

I find that the credible testimony and information submitted at the hearing establishes by (clear and convincing evidence) (a preponderance of the evidence) that **the defendant has gang affiliations, lack of community ties, is an admitted user of drugs and alcohol, at the time of the instance the defendant fled the scene and a weapon was used. The crime alleged is one of violence and the presumption has not been overcome.**

### **Part III - Directions Regarding Detention**

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States marshal for the purpose of an appearance in connection with a court proceeding.

Dated: December 15, 2005

*Lorenzo S. Banig*

Signature of Judicial Officer

**LORENZO F. GARCIA, Chief U.S. Magistrate Judge**

**Name and Title of Judicial Officer**

\*Insert as applicable: (a) Controlled Substances Act (21 U.S.C. 8801 et seq.); (b) Controlled Substances Import and Export Act (21 U.S.C. 8951 et seq.); or (c) Section 1 of Act of Sept.